



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

April 15, 2011

Sent Via Email - jmitchell@alexandercountync.gov

Mr. Josh Mitchell
Alexander County Solid Waste
621 Liledoun Road
Box 12
Taylorsville, NC 28681

Re: *Corrective Action Plan*, Land Use Restrictions, and the Preparation of a Survey Plat Map
Alexander County C&D Over MSW Landfill
Solid Waste Permit #02-01

Dear Mr. Mitchell:

Over the years, Alexander County has received permits to construct and operate waste disposal areas (units) at the landfill located at 2500 Payne Dairy Road in Taylorsville, Solid Waste Permit Number 02-01. Alexander County has purchased one or more properties adjacent to the permitted landfill facility for the purpose of assessment and remediation of landfill gas and groundwater contamination and to increase the buffer zones from the source of these releases from the landfill. The County also has acquired easements on nearby properties for the purpose of investigating the migration of landfill gas and groundwater contaminants from the landfill.

In addition, the County's approved selected remedy at the landfill includes the implementation of Monitored Natural Attenuation (MNA), Phytoremediation, Enhanced Bioremediation (using an edible oil substrate), Active Methane Extraction System, and Acquisition of Property. The Solid Waste Section approved the County's *Corrective Action Plan* (Doc ID 6790) on February 19, 2009. Within the *Corrective Action Plan*, the County inquired about extending the landfill's relevant point of compliance for groundwater quality onto the newly acquired property.

In order for the Solid Waste Section to evaluate this request, and to ensure that the landfill facility and adjacent contaminated areas are properly recorded with land use restrictions necessary to protect public health, safety, and the environment, please submit the following within ninety (90) days of receipt of this letter:

Permits, Deeds and Other Recorded Instruments

- a) copies of all recorded landfill permits;
- b) copies of all recorded deeds or other instruments of acquisition for the properties on which the landfill facility is located;
- c) copies of all recorded deeds or other instruments of acquisition for any properties in the vicinity of the permitted landfill facility which the County previously used for disposal of solid waste, but

which areas of waste disposal are not included within the current permitted facility boundary of the landfill;

d) copies of all recorded deeds, leases or other instruments of acquisition for properties acquired by the County pursuant to corrective action plans for methane gas and groundwater contamination including properties acquired to increase the buffer zones from the disposal areas of the landfill; and

e) copies of all recorded easements and leases obtained for activities related to assessment and corrective action of releases from the landfill.

For each of the properties described in paragraph (c) above, please provide a detailed description of any and all current uses of the property. Identify the persons and entities conducting said uses, and provide a detailed account of the arrangements between the County and persons or entities using the property. Describe all structures, wells and other infra-structure located on the property. Provide copies of any leases, contracts, or other documents relating to the use of the property.

For each of the properties described in paragraph (d) above, please provide a detailed description of any and all current uses of the property. Identify the persons and entities conducting said uses, and provide a detailed account of the arrangements between the County and persons or entities using the property. Describe all structures, wells and other infra-structure located on the property. Provide copies of any leases, contracts, or other documents relating to the use of the property.

For each of the properties described in paragraph (e) above, please provide a detailed description of any and all current uses of the property.

Survey Plat Map

Please engage a registered land surveyor to prepare a survey plat map which meets the requirements of N.C. General Statutes § 47-30. Within one hundred twenty (120) days of receipt of this letter, please submit the survey plat map to the Solid Waste Section for review.

The survey plat map shall be entitled "Notice of Contaminated Site," in accordance with N.C. General Statutes § 143B-279.10, shall include surveyed benchmarks, and shall depict and label items 1 -13, as listed below:

1) The surveyed boundary of the landfill facility ("facility boundary"). The map shall state the number of acres within the facility boundary, the name of the property owner, and the Book and Page numbers where the deed(s) or other instruments of acquisition are recorded, as well as references to any recorded permits and plats;

2) Surveyed boundaries of each permitted waste disposal unit at the landfill facility, and surveyed boundaries of each waste disposal unit which closed before receipt of a permit, if any. Label each unit with the type of waste disposed in the unit [i.e., MSW, Construction and Demolition waste (C&D), Land Clearing Waste (LCID)], dates of operation of each unit, and whether the unit is open or closed;

3) All landfill appurtenances, including access roads, scale house and offices, garages, parking lots, leachate collection ponds, pipes and tanks, sediment basins, berms, soil borrow areas, white goods areas, scrap tire collection areas, mobile home demolition areas, and any other waste processing or collection areas;

4) Surveyed boundaries of any waste disposal areas located *outside* the landfill facility boundary, if any (properties identified pursuant to paragraph (c) on page one of this letter). For each waste disposal area, show the acreage of the waste disposal area, the dates of operation and closure, the type of waste disposed, the date of the permit and permit number, if any, the Book and Page Number where the permit is recorded. Show the current owner(s) of any such properties, and the Book and Page Number where the current deed is recorded;

5) Surveyed boundaries of each of the properties acquired by Alexander County for the purpose

2

of investigation and remediation of methane gas and groundwater contamination and to increase the buffer zones from the source of these releases. For each property, show the acreage of the property, the date of acquisition by Alexander County, and the book and page number where the instrument of acquisition is recorded. Depict and label any structures, wells and other infrastructure located on each of these properties;

6) Surveyed boundaries of any easements on the properties depicted on the map pursuant to paragraphs 1, 4 and 5, above. Identify all surveyed bench marks on these properties;

7) In accordance with N.C.G.S. § 47-30, depict and identify all tracts surrounding the properties owned by Alexander County, including the name of the property owner of record, the acreage of each tract, and a reference to recorded deeds and plats for each tract;

8) Depict and identify all streams and other water bodies on the map. Depict and identify all roads on the map;

9) Depict and identify on the map all groundwater monitoring wells and all landfill gas monitoring wells. Depict and identify on the map all established surface water monitoring locations;

10) Depict and identify on the map all areas of groundwater contamination and methane gas detection;

11) Depict and label a proposed perimeter of compliance;

12) Include a notice on the survey plat map that the plat is not for subdivision purposes, and is recorded to provide notice of landfill waste disposal areas, areas of contamination and restricted landfill buffer properties; and

13) Certification and seal by a registered land surveyor. (Note: please submit an electronic draft copy of the plat map stamped draft for review and approval by the Solid Waste Section before the surveyor signs the signature block on the plat.).

In the event that Alexander County does not own one or more of the properties which the County previously used for disposal of solid waste, or which the County previously acquired for the purpose of investigation and remediation of groundwater contamination and/or methane gas, please identify the property, provide a detailed account of the circumstances surrounding the transfer of the property, including the date of transfer of the property, identify the current owner of the property, describe all uses of the property since the County divested its ownership of the property, provide a copy of the recorded deed or other instrument of transfer of the property, and, if different, a copy of the current recorded deed for the property.

If you have any questions or concerns regarding this letter, please contact me at 919-508-8500 or by email at jaclynne.drummond@ncdenr.gov. Thank you again for your continued cooperation with corrective action at this facility.

Sincerely,



Jaclynne Drummond
Compliance Hydrogeologist
Solid Waste Section
Division of Waste Management

cc via email: Mark Poindexter, Field Operations Supervisor
Deb Aja, Western District Supervisor
C.T. Gerstell, Environmental Senior Specialist
Larry Frost, Permitting Engineer